

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO**

S.E.B.M., a minor, by and through her next friend,  
MARIA MENDEZ FELIPE,

Plaintiff,

No. 21-cv-00095-JHR-LF

v.

THE UNITED STATES OF AMERICA,

Defendant.

**STIPULATED MOTION TO HOLD ACTION  
IN ABEYANCE FOR SIXTY (60) DAYS**

Plaintiff and Defendant United States of America, constituting all parties appearing in this action, through undersigned counsel of record hereby jointly move the Court for an Order holding this action in abeyance for a period of sixty (60) days. In support of this motion, the parties state the following:

1. Plaintiff S.E.B.M., a minor, brought this action pursuant to the Federal Tort Claims Act (“FTCA”) against Defendant United States of America, alleging that she suffered harm and injury as a result of, among other things, being separated from her father at the United States border.

2. The United States filed a Motion to Dismiss this action, asserting a lack of subject matter jurisdiction pursuant to Federal Rule of Civil Procedure 12(b)(1).

3. Prior to engaging in further briefing on the issues raised in this litigation, the parties intend to engage in settlement discussions to determine whether the matter can be resolved amicably at this stage of the proceedings.

4. In order to facilitate settlement discussions, the parties now respectfully move the Court for an Order holding this action, including all proceedings and case deadlines, in abeyance for sixty (60) days, to allow the parties to focus their attention on these settlement efforts. A proposed Order is submitted herewith.

5. Counsel for Plaintiff and the United States have conferred regarding this request and agreed to jointly move the Court to hold this action in abeyance for the time specified above.

Respectfully submitted,

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**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a copy of the foregoing was served upon all counsel of record  
via the CM/ECF system on this 13<sup>th</sup> day of May 2021.

/s/ David H. Urias

David H. Urias